

2153



CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Russell et al. Attorney Docket No: APPL0002
 Serial No: 09/991,127 Group Art Unit: 2153
 Filed: November 14, 2001 Examiner: Strange, Aaron N.
 Title: METHOD AND SYSTEM FOR MONITORING THE PERFORMANCE OF A
 DISTRIBUTED APPLICATION

AMENDMENT AND CONFIRMATION OF ELECTION TRANSMITTAL LETTER

Bellevue, Washington 98004

May 13, 2005

TO THE COMMISSIONER FOR PATENTS:

A. Amendment

Transmitted herewith is an amendment and confirmation of election in the above-identified patent application.

X 1. No additional claim fee is required, as shown below.

B. Request for Constructive Petition for Extension of Time

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940, thereby constructively petitioning for any necessary extension of time to maintain the present application in a pending state.

<u>Computation of Fee For Claims as Amended</u>					
	<u>Claims Remaining after Amendment</u>	<u>Highest Number Previously Paid For</u>	<u>Present Extra</u>	<u>Rate</u>	<u>Additional Fee</u>
Total Claims	50	61	-0	x \$25	\$-0-
Independent Claims	6	8	-0-	x \$100	<u>0</u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					<u>\$ 0</u>

1 C. Additional Fee Charges or Credit for Overpayment

2 Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940.
3 A copy of this sheet is enclosed.
4

5 Respectfully submitted,

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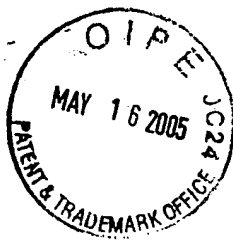
8 Ronald M. Anderson
9 Registration No. 28,829
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12 MAILING CERTIFICATE

13 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
14 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
15 Alexandria, VA 22313-1450, on May 13, 2005.

16 Date: May 13, 2005

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AMENDMENT & REQUEST FOR RECONSIDERATION AND CONFIRMATION OF
ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Bellevue, Washington 98004

May 13, 2005

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

In response to the Office Action dated February 15, 2005, applicants request that the above-identified application be amended as set forth below and that the Examiner reconsider the application in view of these amendments and the Remarks that follow. The claims are amended as set forth below.